

## **Rule 3020-1**

### **CHAPTER 11 -- CONFIRMATION**

(a) Unless otherwise ordered by the Court, any objections to confirmation in a Chapter 11 case shall be filed and served seven (7) days before the date of the hearing. The objection shall be served upon the debtor, debtor's attorney, the trustee or examiner (if any), the proponent of the plan (if not the debtor), counsel for any official committee, and the United States Trustee.

(b) The debtor shall be responsible for preparing the order of confirmation in a Chapter 11 case and submitting it to the Court for signature. The order must be submitted to the Court within ten (10) days after the hearing on confirmation. The debtor shall then be responsible for the distribution of the conformed order and copies of the confirmed plan to all creditors, the United States Trustee, those persons on the Local Rule 1007-2 Parties in Interest List, and other parties as may be designated by the Court. Such distribution must be accomplished and proof of such service filed in accordance with the provisions of Local Rule 7005-1 within ten (10) days of receipt of the Court's order.

(c) Unless otherwise ordered by the Court, the debtor shall file any adversary proceedings or contested matters contemplated by the Chapter 11 plan of reorganization and file any objections to claims no later than thirty (30) days after the entry of an order of confirmation.

---

### ***Notes of Advisory Committee***

#### ***1997 Amendment***

This amendment conforms the existing Local Rules to the uniform numbering system prescribed by the Judicial Conference of the United States and to the model system suggested and approved by the Advisory Committee on Bankruptcy Rules of the Judicial Conference's Committee on Rules of Practice and Procedure. In renumbering the Local Rules to conform to the uniform numbering system, no change in substance is intended. This amendment is effective on April 15, 1997.

Paragraph (a) of this rule was formerly Local Rule 3.05(a). Paragraph (b) of this rule was formerly Local Rule 3.06(b). Paragraph (c) of this rule was formerly Local Rule 3.06(a). The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.

### ***1995 Amendment***

Local Rule 3.06(a) has been amended to include the requirement that the debtor file any adversary proceedings or contested matters contemplated by the plan of reorganization no later than thirty (30) days after the entry of an order of confirmation.

Local Rule 3.06(c) has been amended to include contested matters and adversary proceedings within the matters which must be concluded before entry of a final decree.

Local Rule 3.06(d) has been added to make clear the requirement that a debtor who desires to convert a Chapter 11 case after confirmation of a plan of reorganization may do so only on motion and hearing with notice to all creditors and parties in interest. This is consistent with Bankruptcy Code § 1112(a)(1) which precludes the debtor from converting a case from Chapter 11 to Chapter 7 as a matter of right if the debtor is not a debtor in possession, Fed. R. Bankr. P. 9013 which requires that a request for an order be made by motion, and Fed. R. Bankr. P. 2002(a)(5) which requires that parties in interest receive twenty days notice of a hearing on conversion of a case to another chapter. It is not intended that this Local Rule create any substantive rights not otherwise available under existing law.

These amendments were effective February 15, 1995.